

SB 5740 - DIGEST

Provides for standards that require provisional ballots to be distinguishable from the other ballots and incapable of being tabulated by the poll-site ballot counting device.

Declares that a voter's signature on an absentee or provisional ballot is considered a match if at least three of the following criteria are met: (1) The capital letters match;

(2) Letters tail off alike;

(3) Letter spacing is the same;

(4) The space between the signature and the line is the same;

(5) The beginning and ending of the signature and the slant are consistent;

(6) Unique letters in the signature match;

(7) The overall appearances match.

Provides that, in determining whether a signature on an absentee or provisional ballot matches the signature on the registration file, the age of the voter and the date of the signature on the registration file may also be considered.

Provides that if the voter neglects to sign the outside envelope of an absentee or provisional ballot, the auditor shall notify the voter, either by telephone or by first class mail, and advise the voter of the correct procedures for completing the unsigned affidavit. In order for the ballot to be counted, the voter must either: (1) Appear in person and sign the envelope no later than the day before the certification of the primary or election; or

(2) Sign a copy of the envelope provided by the auditor, and return it to the auditor no later than the day before the certification of the primary or election.

Provides that each poll site ballot that was not tabulated at the poll site, each mail ballot, and each provisional ballot must be manually inspected. Inspection must include both sides of the ballot and each voter response on the ballot.

Provides that only the canvassing board has authority to reject a ballot, or a vote for an office or issue on a ballot, as invalid. The canvassing board may not delegate this authority.

Provides that, as soon as the returns have been received from all the counties of the state, but not later than the thirtieth day after the election, the secretary of state shall canvass and certify the returns of the general election as to candidates for state offices, the United States senate, congress, and all other candidates whose districts extend beyond the limits of a single county. The secretary of state shall transmit a copy of the certification to the governor, president of the senate, and speaker of the house of representatives.